

STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

In the Matter of Permit 19595 (Application 28242)

Olive Moore

ORDER REVOKING PERMIT

SOURCE: Unnamed Stream tributary to Paso Robles Creek thence Salinas River

COUNTY: San Luis Obispo

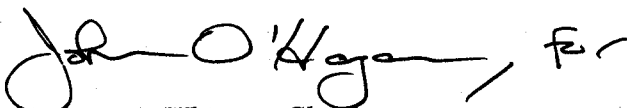
WHEREAS:

1. Olive Moore (Permittee) is the water right holder or authorized agent for the holder of water right Permit 19595.
2. On September 12, 2008, the Permittee requested that the State Water Resources Control Board (State Water Board), Division of Water Rights (Division), revoke Permit 19595.
3. Livestock Stockpond Use Registration, Certificate No. L94 (Application L031721) was issued November 19, 2008 to cover the storage of water in the 8.5 acre-foot reservoir.
4. By signing the voluntary request for revocation, Permittee waived the right to the hearing and notice requirements set forth in Water Code sections 1410 and 1410.1.

THEREFORE:

It is ordered that Permit 19595 is hereby revoked by the State Water Board, and the water is declared to be subject to appropriation. This revocation may not result in additional water being available for new appropriations if there are applicable restrictions due to past State Water Board decisions regarding water availability.

STATE WATER RESOURCES CONTROL BOARD


Victoria A. Whitney, Chief
Division of Water Rights

Dated: **DEC 29 2008**

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 28242 PERMIT 19595 LICENSE

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

WHEREAS:

1. Permit 19595 was issued to James E. Moore and Olive R. Moore on August 19, 1985 pursuant to Application 28242.
2. A petition for an extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board.
3. The permittee has proceeded with diligence and good cause has been shown for said extension of time.

NOW, THEREFORE, IT IS ORDERED THAT:

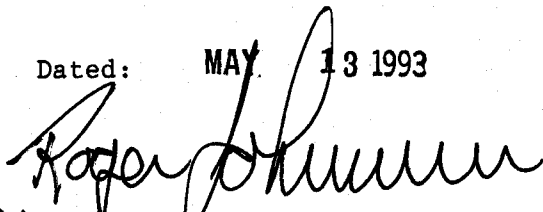
1. Condition 9 of the permit be amended to read:

COMPLETE APPLICATION OF THE
WATER TO THE PROPOSED USE
SHALL BE MADE ON OR BEFORE

December 31, 1998

(0000009)

Dated: MAY 13 1993



161 Edward C. Anton, Chief
Division of Water Rights

STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

PERMIT FOR DIVERSION AND USE OF WATER

PERMIT 19595Application 28242 of James E. Moore and Olive R. Moore5019 Overland Avenue, Culver City, California 90230filed on September 12, 1984, has been approved by the State Water Resources Control Board SUBJECT TO VESTED RIGHTS and to the limitations and conditions of this Permit.

Permittee is hereby authorized to divert and use water as follows:

1. Source:

Tributary to:

Unnamed StreamPaso Robles Creek thenceSalinas River

2. Location of point of diversion:	40-acre subdivision of public land survey or projection thereof	Section	Town- ship	Range	Base and Meridan
North 1,400 feet and East 1,800 feet from SW corner of projected Section 27	NE $\frac{1}{4}$ of SW $\frac{1}{4}$	27	27S	11E	MD

County of San Luis Obispo

3. Purpose of use:	4. Place of use:	Section	Town- ship	Range	Base and Meridan	Acres
Recreation						
Stockwatering						
Irrigation	NE $\frac{1}{4}$ of SW $\frac{1}{4}$	27	27S	11E	MD	20

The place of use is shown on map filed with the State Water Resources Control Board.

5. The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed 11 acre-feet per annum to be collected from January 1 to May 14 of each year. 0000005

This permit does not authorize collection of water to storage outside of the specified season to offset evaporation and seepage losses or for any other purpose. 0000005

6. The amount authorized for appropriation may be reduced in the license if investigation warrants. 0000006

7. Construction work shall begin within two years of the date of this permit and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted, this permit may be revoked. 0000007

8. Construction work shall be completed by December 1, 1988. 0000008

9. Complete application of the water to the authorized use shall be made by December 1, 1989. 0000009

10. Progress reports shall be submitted promptly by permittee when requested by the State Water Resources Control Board until license is issued. 0000010

11. Permittee shall allow representatives of the State Water Resources Control Board and other parties as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this permit. 0000011

12. Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation. The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust. 0000012

13. The quantity of water diverted under this permit and under any license issued pursuant thereto is subject to modification by the State Water Resources Control Board if, after notice to the permittee and an opportunity for hearing, the Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges. 0000013

14. Permittee shall install and maintain an outlet pipe of adequate capacity in the dam as near as practicable to the bottom of the natural stream channel, in order that water entering the reservoir which is not authorized for appropriation under this permit may be released. Before starting construction permittee shall submit plans and specifications of the outlet pipe to the Chief of the Division of Water Rights for approval. Before storing water in the reservoir permittee shall furnish evidence which substantiates that an outlet has been installed in the dam. Evidence shall include photographs showing completed works or certification by a registered Civil or Agricultural Engineer. 0050043

15. Permittee shall install and maintain in the reservoir a staff gage meeting the approval of the State Water Resources Control Board for the purpose of determining water levels in the reservoir. Permittee shall supply the staff gage reading on or about October 1 of each year, verified by Templeton Community Service District's designated representative, to the State Water Resources Control Board.

Permittee shall allow Templeton Community Services District's designated representative reasonable access to the reservoir for the purpose of determining water levels in the reservoir. 0070047
0100047

16. In the event that Templeton Community Services District's prior right under Permit 8964 (Application 12526) is not satisfied in any year, permittee shall on request by Templeton Community Services District or its designated representative, immediately release from the reservoir at the highest practicable rate, to maximize the quantity of release, an amount of water necessary to satisfy Templeton Community Services District's prior right, up to the total amount of water which permittee has impounded in the reservoir under this permit since October 1 of that storage year. Permittee shall not be obligated to release water below the previous October 1 staff gage reading. 0000999

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Dated: AUGUST 19 1985

STATE WATER RESOURCES CONTROL BOARD

for L. O. Johnson
Chief, Division of Water Rights